

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
Plaintiff,                   )                                   No. 4:05-CR-322 CAS  
                                  )  
v.                            )  
                                  )  
SANCHEZ E. SMOTHERMAN,    )  
                                  )  
                                  )  
Defendant.                   )

**ORDER**

This matter is before the Court on various pretrial matters. Pursuant to 28 U.S.C. § 636(b), this Court referred all pretrial matters to United States Magistrate Judge Noce. On August 22, 2005, Judge Noce filed a Report and Recommendation of United States Magistrate Judge which recommended that defendant's Motion to Suppress Evidence and Statements be denied as moot. No objections have been filed to the Magistrate Judge's Report and Recommendation. Therefore, the Court will deny defendant's motion to suppress evidence and statements as moot.

Accordingly, after careful review,

**IT IS HEREBY ORDERED** that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 20]

**IT IS FURTHER ORDERED** that defendant's Motion to Suppress Evidence and Statements is **DENIED as moot**. [Doc. 18]



---

CHARLES A. SHAW  
UNITED STATES DISTRICT JUDGE

Dated this 7th day of September, 2005.